

1 NOSSAMAN LLP  
2 DAVID C. LEE (SBN 193743)  
3 dlee@nossaman.com  
4 50 California Street, 34th Floor  
5 San Francisco, CA 94111  
6 Telephone: 415.398.3600  
7 Facsimile: 415.398.2438

5 NOSSAMAN LLP  
6 KASIA PENN (SBN 306056)  
7 kpenn@nossaman.com  
8 18101 Von Karman Avenue, Suite 1800  
9 Irvine, CA 92612  
10 Telephone: 949.833.7800  
11 Facsimile: 949.833.7878

9 Attorneys for Defendant RTZ ASSOCIATES, INC.

10  
11 UNITED STATES DISTRICT COURT  
12 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
13

14 INTUS CARE, INC.,

15 Plaintiff,

16 vs.

17 RTZ ASSOCIATES, INC.; and DOES 1  
18 through 10,

19 Defendants,

Case No: 4:24-cv-01132-JST

Assigned to: Hon. Jon S. Tigar

**ADMINISTRATIVE MOTION TO  
CONSIDER WHETHER ANOTHER  
PARTY'S MATERIAL SHOULD BE  
SEALED IN SUPPORT OF PARTIAL  
SUMMARY JUDGMENT**

[Filed concurrently with (1) Declaration of  
David C. Lee In Support of Administrative  
Motion to Consider Whether Another Party's  
Material Should Be Sealed and (2) Proposed  
Order]

Date: June 26, 2025

Time: 2:00 p.m.

Courtroom: 6

Complaint Filed: February 23, 2024

Amended Complaint Filed: April 2, 2024

Counterclaims Filed: June 20, 2024

4:24-cv-01132-JST

ADMINISTRATIVE MOTION TO CONSIDER WHETHER ANOTHER PARTY'S MATERIAL SHOULD BE  
SEALED IN SUPPORT OF PARTIAL SUMMARY JUDGMENT

1 Defendant RTZ Associates, Inc. (“RTZ,” or “Defendant”) hereby submits this  
2 Administrative Motion to Consider Whether Another Party’s Material Should Be Sealed. RTZ has  
3 reviewed and complied with Civil Local Rule 79-5, including the requirement to file separate  
4 motions if a party seeks to file under seal a document containing “portions that more than one party  
5 bears the burden of showing is sealable.” Civil L.R. 79-5(f)(5).

6 By this Administrative Motion, RTZ moves for the Court to consider whether Exhibit 6  
7 should be sealed. As explained in RTZ’s Opposition, Intus developed and used the automated  
8 scripts (or bots), without RTZ’s knowledge, to automatically extract PACE data from its  
9 customers’ PACECare systems. The automated scripts are pertinent to multiple material facts  
10 implicated by Intus’s Motion including establishing Intus’s actual access to PACECare and further  
11 establishing the applicable exceptions delineated within the Cures Act to remove a party’s conduct  
12 from the definition of “information blocking.”

13 Intus designated Exhibit as CONFIDENTIAL pursuant to the Stipulated Protective Order  
14 § 2.2. These scripts contain Intus’ confidential and sensitive business information. All references  
15 to the content of Exhibit 6 have also been redacted from the publicly filed version of RTZ’s  
16 Opposition to Intus’ Motion for Partial Summary Judgment.

17 Pursuant to Civil Local Rule 79-5(f), RTZ need not satisfy the showing required in  
18 subsection (c)(1) (i.e., “a specific statement of the applicable legal standard and the reasons for  
19 keeping a document under seal”).

20  
21 Dated: May 2, 2025

NOSSAMAN LLP  
DAVID C. LEE  
KASIA PENN

22  
23  
24 By:   
David C. Lee

25 Attorneys for Defendant RTZ ASSOCIATES, INC.  
26  
27  
28